

AN ORDINANCE

99473

ACCEPTING THE LOW, QUALIFIED BASE BID WITH BID ALTERNATES FROM 3TI, INC. (SBE/WBE/DBE) IN THE AMOUNT OF \$991,000.00 TO PROVIDE CONSTRUCTION SERVICES IN CONNECTION WITH THE DISTRICT 4 PARK IMPROVEMENT PROJECTS IN ARNOLD PARK, FLORES PARK AND MILLER'S POND PARK; AUTHORIZING THE EXECUTION OF A CONSTRUCTION CONTRACT; AMENDING THE PROJECT BUDGET; AUTHORIZING \$56,912.00 FOR CONSTRUCTION CONTINGENCY EXPENSES; AUTHORIZING \$2,000.00 FOR MANDATORY PROJECT FEES; APPROPRIATING \$479,912.00 IN 1999-2004 PARK BOND FUNDS, \$370,000.00 IN 2003-2007 PARK BOND FUNDS AND \$200,000.00 IN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, the 1999 Parks General Obligation Bond Issue approved funding for improvements to parks within City Council District 4, including Arnold Park located at 1011 Gillette Road, Flores Park located at 743 Southcross and Miller's Pond Park located at 6000 Pearsall Road; and

WHEREAS, subsequently, the 2003 Parks General Obligation Bond Issue and the 2003 and 2004 Reprogrammed Community Development Block Grant (CDBG) Programs approved additional funding for these projects, which will enhance the scope of the improvements; and

WHEREAS, the firm of Place Collaborative, Inc. submitted a proposal to perform architectural and engineering services for the District 4 projects and was selected through Ordinance 96516 on October 2, 2002; and

WHEREAS, work at Arnold Park will include rehabilitation of outdoor recreation facilities to include the playground area, pavilion, lighting, path of travel and Americans with Disabilities Act (ADA) modifications to outdoor facilities; work at Flores Park will include development of outdoor recreation improvements to include a covered basketball court with lighting, pavilion, walking trail and improvements to the ball field; and work at Miller's Pond Park will include improvements to the youth athletic field area including additional parking, path of travel and portable screened toilets; and

WHEREAS, the City has received bids for said work and 3TI, Inc., a SBE/DBE/MBE firm has submitted the low qualified bid; and

WHEREAS, it is now necessary to accept the low qualified bid of 3TI, Inc. for said work, authorize a standard public works construction contract for said project, establish the project budget, transfer funds into the project budget, authorize a construction contingency, provide for project fees, and provide for payment; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Section 1. The low qualified bid of \$864,000.00, with bid alternates for a total of \$991,000.00, from 3TI, Inc. for capital improvements associated with the City's District 4 Park Improvement Projects is hereby accepted. The City Manager, or her designee is hereby authorized to execute a standard form public works construction contract for the job. A copy of the contractor's bid is affixed hereto and incorporated herein for all purposes as Attachment I. All other bids will be deemed rejected upon the execution of a contract by the successful bidder and the deposit of all required bonds and insurance certificates or the expiration of sixty (60) days from the effective date of this ordinance accepting the low bid, whichever event occurs first.

Section 2. The budget in fund 45-983095, 1999 Park Improvements, Sold In 2002, shall be revised by reducing index code 758276, entitled Unallocated Appropriations: Proceeds, by the amount of \$192,280.00.

Section 3. The amount of \$192,280.00 is appropriated in fund 45-983004, 1999 Park Improvements, Sold In 2002, in index code 937714, entitled Transfer to 45-982012 Arnold Park. The amount of \$192,280.00 is authorized to be transferred from fund 45-983004 to fund 45-982012.

Section 4. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138065, entitled Trf Fr 45-983004 (45-982012), by the amount of \$192,280.00.

Section 5. The amount of \$150,000.00 is appropriated in fund 45-804003, 2003 Park Bonds, in index code 937730, entitled Transfer to 45-982012 Arnold Park. The amount of \$150,000.00 is authorized to be transferred from fund 45-804003 to fund 45-982012.

Section 6. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138008, entitled Trf Fr 45-804003 (45-982012), by the amount of \$150,000.00.

Section 7. The amount of \$314,000.00 is appropriated in fund 45-982012, 1999 Park Improvements, Sold In 2001, in index code 611855, entitled Construction Contract, and is authorized to be encumbered and made payable to 3TI, Inc. for construction in connection with the Ramirez Park Improvement Project (Arnold Park) project.

Section 8. The amount of \$28,280.00 is appropriated in fund 45-982012, 1999 Park Improvements, Sold In 2001, in index code 611863, entitled Construction Contingency,

and is authorized to be encumbered and made payable for construction contingency expenses in connection with the Ramirez Park Improvement Project (Arnold Park) project.

Section 9. The budget in fund 45-983095, 1999 Park Improvements, Sold In 2002, shall be revised by reducing index code 758276, entitled Unallocated Appropriations: Proceeds, by the amount of \$226,772.00.

Section 10. The amount of \$226,772.00 is appropriated in fund 45-983005, 1999 Park Improvements, Sold In 2002, in index code 937748, entitled Transfer to 45-982013 Jimmy Flores Park. The amount of \$226,772.00 is authorized to be transferred from fund 45-983005 to fund 45-982013.

Section 11. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138016, entitled Trf Fr 45-983005 (45-982013), by the amount of \$226,772.00.

Section 12. The amount of \$120,000.00 is appropriated in fund 45-804021, 2003 Park Bonds, in index code 937755, entitled Transfer to 45-982013 Jimmy Flores Park. The amount of \$120,000.00 is authorized to be transferred from fund 45-801021 to fund 45-982013.

Section 13. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138024, entitled Trf Fr 45-804021 (45-982013), by the amount of \$120,000.00.

Section 14. The budget in fund 28-029066, CDBG Year 29, Jimmy Flores Park, shall be revised by reducing index code 221796 by \$150,000.00. The budget of index code 908483 shall be increased by \$150,000.00 and encumbered for transfer to fund 45-982013.

Section 15. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138032, entitled Trf Fr 28-029066 (45-982013), by the amount of \$150,000.00.

Section 16. The budget in fund 28-026090, CDBG Year 26, Flores Park, shall be revised by reducing index code 371716 by \$50,000.00. The budget of index code 912311 shall be increased by \$50,000.00 and encumbered for transfer to fund 45-982013.

Section 17. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138040, entitled Trf Fr 28-026090 (45-982013), by the amount of \$50,000.00.

Section 18. The amount of \$538,000.00 is appropriated in fund 45-982013, 1999 Park Improvements, Sold In 2001, in index code 611913, entitled Construction Contract, and is authorized to be encumbered and made payable to 3TI, Inc. for construction in connection with the Jimmy Flores Park Improvements project.

Section 19. The amount of \$6,772.00 is appropriated in fund 45-982013, 1999 Park Improvements, Sold In 2001, in index code 611970, entitled Construction Contingency, and is authorized to be encumbered and made payable for construction contingency expenses in connection with the Jimmy Flores Park Improvements project.

Section 20. The amount of \$2,000.00 is appropriated in fund 45-982013, 1999 Park Improvements, Sold In 2001, in index code 639658, entitled Mandatory Project Fees, and is authorized to be encumbered and made payable for mandatory project fees in connection with the Jimmy Flores Park Improvements project.

Section 21. The budget in fund 45-983095, 1999 Park Improvements, Sold In 2002, shall be revised by reducing index code 758276, entitled Unallocated Appropriations: Proceeds, by the amount of \$60,860.00.

Section 22. The amount of \$60,860.00 is appropriated in fund 45-983006, 1999 Park Improvements, Sold In 2002, in index code 937789, entitled Transfer to 45-982014 Miller's Pond Park. The amount of \$60,860.00 is authorized to be transferred from fund 45-983006 to fund 45-982014.

Section 23. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138149, entitled Trf Fr 45-983006 (45-982014), by the amount of \$60,860.00.

Section 24. The amount of \$100,000.00 is appropriated in fund 45-804030, 2003 Park Bonds, in index code 934596, entitled Transfer to 45-982014 Miller's Pond Park. The amount of \$100,000.00 is authorized to be transferred from fund 45-804030 to fund 45-982014.

Section 25. The budget in fund 45-982000, 1999 Park Improvements, Sold In 2001, shall be revised by increasing index code 138156, entitled Trf Fr 45-804030 (45-982014), by the amount of \$100,000.00.

Section 26. The amount of \$139,000.00 is appropriated in fund 45-982014, 1999 Park Improvements, Sold In 2001, in index code 609396, entitled Construction Contract, and is authorized to be encumbered and made payable to 3TI, Inc. for construction in connection with the Miller's Pond Park Improvements Project.

Section 27. The amount of \$139,000.00 is appropriated in fund 45-982014, 1999 Park Improvements, Sold In 2001, in index code 609404, entitled Construction Contingency, and is authorized to be encumbered and made payable for construction contingency expenses in connection with the Miller's Pond Park Improvements Project.

Section 28. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to

specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

Section 29. The City staff is hereby authorized to establish expenditure index codes as needed within the project budgets and to transfer funds between expenditure index codes to facilitate the proper accounting of project expenses.

Section 30. Eligible expenses that may be incurred from the City's General Fund will be reimbursed from the project budgets in accordance with established financial procedures.

Section 31. This ordinance will become effective on August 1, 2004.

PASSED AND APPROVED this 22nd day of July, 2004.

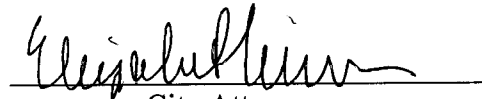
ATTEST:


City Clerk

M A Y O R


EDWARD D. GARZA

APPROVED AS TO FORM:


City Attorney